

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

HACHETTE BOOK GROUP, INC.,
HARPERCOLLINS PUBLISHERS LLC,
JOHN WILEY & SONS, INC., and
PENGUIN RANDOM HOUSE LLC,

Plaintiffs,

v.

INTERNET ARCHIVE and
DOES 1 through 5, inclusive,

Defendants.

Case No. 1:20-cv-04160-JGK

*Motion for leave to
file Amici Curiae Brief
is granted.*

*so ordered.
Jr G/Kelch
n.s.d.
8/8/22*

**MOTION FOR LEAVE TO FILE
AMICI CURIAE BRIEF OF
PROFESSORS AND SCHOLARS OF COPYRIGHT LAW**

Proposed *amici curiae* Professors and Scholars of Copyright Law respectfully move for leave to file the attached brief in support of plaintiffs' motion for summary judgment and in opposition to Internet Archive's cross-motion for summary judgment. Plaintiffs have consented to the filing of this brief. Internet Archive has stated that it would not oppose a motion for leave to file an *amicus* brief by law professors if filed no later than August 5, 2022.

District courts have broad discretion to permit filings by proposed *amici* who have unique information or a particular perspective to share with the court. *See, e.g., In re GLG Life Tech. Corp. Sec. Litig.*, 287 F.R.D. 262, 265 (S.D.N.Y. 2012); *Citizens Against Casino Gambling in Erie Cty. v. Kempthorne*, 471 F. Supp. 2d 295, 311 (W.D.N.Y. 2007) (citing *Ryan v. Commodity Futures Trading Comm'n*, 125 F.3d 1062, 1063 (7th Cir. 1997)). The proposed *amici* are professors and scholars who study and teach copyright and related areas of law at academic

institutions across the United States. They have no stake in the outcome of this case other than their interest in ensuring that copyright law is interpreted and develops in a manner consistent with its constitutional and statutory foundations so creativity, dissemination of works, and innovation will continue to flourish.

Proposed *amici* respectfully request that this Court grant leave to file the accompanying brief.

Dated: August 5, 2022

Respectfully submitted,

/s/ Jacqueline C. Charlesworth
Jacqueline C. Charlesworth

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